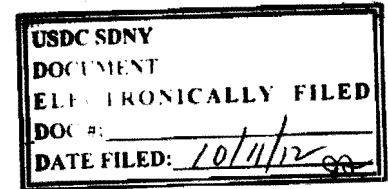


UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK



-----X
UNITED STATES

-v-

LEONIDES SIERRA et al.,

Defendants.
-----X

11 Cr. 1032 (PAE)

ORDER

PAUL A. ENGELMAYER, District Judge:

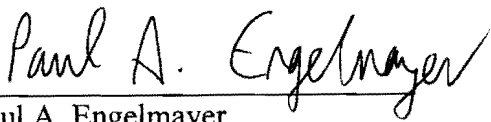
At the conference for the Group B defendants held on October 5, 2012, Gregory Cooper, Esq., counsel for defendant Carlos Urena, requested that he be allowed to provide his client, in written form, with information from the Government's preliminary enterprise letters, relating to the discrete acts and events involving Mr. Urena. The Court has received the Government's letter, dated October 10, 2012, opposing that request, on the grounds that it violates the letter and/or spirit of the protective order entered by the Court on July 30, 2012, and may jeopardize the safety of witnesses or cause unindicted associates of the defendants to flee.

Mr. Cooper is invited to submit a letter to the Court, no later than October 18, 2012, responding to the Government's October 10, 2012 letter. In particular, the Court invites Mr. Cooper to explain: (1) why providing the information at issue in writing to Mr. Cooper's client would incrementally assist in the preparation of a defense, given that, as the Government notes, "[t]he Protective Order [already] permits defense counsel to review the Preliminary Enterprise Letters with their clients and discuss the information therein," Gov't. Letter at 2; and (2) why this issue is not more appropriately addressed after the superseding indictment in this case issues no

later than December 14, 2012. Counsel for other defendants are invited, but not required, to make their own submissions, or to indicate that they join in Mr. Cooper's response.

In its letter, the Government expressed the concern that furnishing defendants with documents recounting the allegations made in the enterprise letters with regard to them would endanger the safety of witnesses. The Government is invited to submit, no later than October 18, 2012, a letter, *ex parte*, which the Court will review *in camera*, explaining concretely and with a greater level of specificity than in the Government's October 10, 2012 letter why the defendants' physical possession of the documents envisioned by Mr. Cooper would enhance security concerns.

SO ORDERED.


Paul A. Engelmayer
United States District Judge

Dated: October 11, 2012
New York, New York